

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

MILTON TOYA

Petitioner,

v.

CIV 17-0258 JCH/KBM

ALAN TOLEDO, Pueblo of Jemez Tribal Court Judge,  
JOSEPH A. TOYA, Pueblo of Jemez Governor,  
WILLIAM WAQUIE, Pueblo of Jemez 1<sup>st</sup> Lt. Governor, and  
JONATHAN ROMERO, Pueblo of Jemez 2<sup>nd</sup> Lt. Governor,

Respondents.

**ORDER ADOPTING MAGISTRATE JUDGE'S**  
**PROPOSED FINDINGS AND**  
**RECOMMENDED DISPOSITION**


The Magistrate Judge filed her Proposed Findings and Recommended Disposition on September 9, 2017 (*Doc. 18*). The proposed findings notify the parties of their ability to file objections and that failure to do so waives appellate review. To-date, neither Petitioner nor Respondents have not filed any objections, and there is nothing in the record indicating that the proposed findings were not delivered.

Wherefore,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 18*) is ADOPTED;
2. Petitioner's First Amended Petition for Writ of Habeas Corpus for Relief from a Tribal Court Conviction Pursuant to 25 U.S.C. § 1303 (*Doc. 10*) is GRANTED;
3. Petitioner's conviction is REVERSED; and

4. A final order will be entered concurrently herewith.

  
UNITED STATES DISTRICT JUDGE